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IN REPLY REFER TO:

CC 92-77

September 16, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Peter J. Visclosky
U.S. House of Representatives
2464 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Visclosky:

Thank you for your letter on behalf of Larry J. Dembinski, Sheriff, Porter County Sheriff's Police, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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2

The Honorable Peter J. Visclosky
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Kathleen M.H. Wallman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosures

PETER J. VISCLOSKY
1ST DISTRICT, INDIANA

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Congress of the United States
House of Representatives
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August 18, 1994

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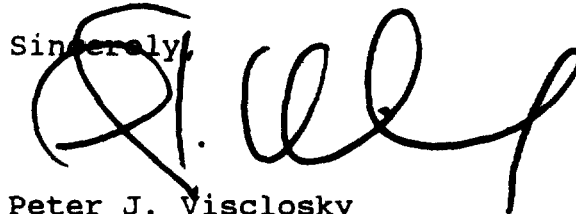
Dear Mr. Chairman:

I write on behalf of Mr. Larry J. Dembinski, Sheriff of Porter County, in Indiana's First Congressional District.

Sheriff Dembinski contacted me to express his concerns about CC Docket 92-77, regarding Billed Party Preference for 0+ Interlata calls. Enclosed, please find a copy of Sheriff Dembinski's letter to me. Although the comment period for this proposed rule has expired, I would request that his letter be entered into the final comment record.

Thank you in advance for your serious consideration of this matter. Do not hesitate to let me know if you have any questions or need additional information.

Sincerely,



Peter J. Visclosky
Member of Congress

PJV:ko
Enclosure

LARRY J. DEMBINSKI
SHERIFF



ROBERT HERRING
CHIEF DEPUTY

Porter County Sheriff's Police

In the Matter of

CC DOCKET 92-77

Billed Party Preference
For 0+ InterLata Calls

As Sheriff of Porter County, I believe the pending regulatory issue would hinder the operation of the Porter County Jail. As it is now, we can regulate the system as we have it as is explained below.

1. We can block out numbers of witnesses so they are not threatened.
2. We can block out numbers of employees so that their families are not threatened.
3. We can block out numbers to prevent other harassments such as minor girls getting calls from inmates.
4. We have a "call duration" which regulates excessive usage by one inmate.
5. All inmate calls are collect so the call does not have to be accepted. (This negates the Jail from paying unnecessary long distance phone bills)
6. These regulations allow us to control Fraud.

Because of these stated reasons, I eagerly oppose the B.P.P. and encourage the F.C.C. to do the same.

Sincerely,

A handwritten signature in cursive script that reads "Larry J. Dembinski".

Larry J. Dembinski
Porter County Sheriff